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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
et al.

Art Unit: Unknown

Examiner: Unknown

Serial No. Unknown

Docket No. TER-002.3P D5

Filed: 1/11/01

For: APPARATUS AND METHOD FOR SCDMA DIGITAL DATA TRANSMISSION
USING ORTHOGONAL CODES AND A HEAD END MODEM WITH NO TRACKING
LOOPS

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, Va. 22313-1450

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SEP 16 2004

Technology Center 2600

Response to Restriction Requirement

Dear Sir:

On 8/23/2004, a restriction requirement was mailed on the above identified case. This restriction requirement assumed that claims 1-83 were pending. However, this is incorrect. Claims 1-83 were cancelled in a preliminary amendment (a copy of which is enclosed), and new claims 1-14 were added. Please withdraw the restriction requirement and begin the examination based upon new claims 1-14.

Dated: September 3, 2004

Respectfully submitted,

Ronald Craig Fish
Reg. No. 28,843

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